

Burghead and Cummingston **Community Council**



Minute of regular meeting held at Burghead Harbour Office on Thursday, 2 August 2018

Present: Billy Davidson (Chairman), Jennifer Walker (Treasurer),
Chris Tuke (Minutes Secretary), Gilbert Farquhar, Kirsten Garstang,
Joan Megson, Abbey Main.

Apologies: Les Taylor (Secretary), Jim Patterson, Rosie Craig
Moray Councillors James Allan & Amy Patience.

In Attendance: Moray Councillors John Cowe & Ryan Edwards.

Adoption of minute of previous meeting:

Proposed by: Abbey Main

Seconded by: Gilbert Farquhar

Police Report

No representatives of Police Scotland were present and no report had been received.

Matters Arising.

Hopeman Fire

It was noted that Fire Engines were once again at Hopeman with the fire re-ignited. Residents are reminded to be careful during the dry weather.

Defibrillators

Three further defibrillators have now been delivered and much gratitude was offered to Rob Attridge who has volunteered to install these for no charge. Rob had also fitted the previous 2 units.

The cabinets will be placed at **26 Keith Road & 28 Headland Rise, Burghead** and **31 Main Street, Cummingston**, (1st house to the right of the War Memorial).

Thanks go to all of the householders.

Thanks were also expressed to Helen Ritchie and the patrons of Burghead Beach Caravan Park for the kind donation of £70 towards the fund which was raised at their Events Weekend.

Water Run-Off at Cummingston

Cllr. Edwards updated the meeting of plans to resolve the problems of water running onto Cummingston Main Street from adjacent fields. 2 options were under consideration, both would involve a grid and sump at the junction of the Roseisle, (7 Towers), Road with a sump to capture particulate matter. The water would then be diverted under Main Street and then;

Option 1 – East, towards Hopeman and then towards Greenbrae Quarry, or

Option 2 – West, towards Burghead and then down the track towards the old railway line. Option 2 is the Council's preferred option due to concerns over potential contamination from waste at the former landfill site at Greenbrae.

Costs would be; Option 1 - £14,000 and Option 2 - £24,000. It was hoped that work would be completed by October this year. Concern was expressed that the tax-payer was being left to pick up the bill for a problem caused by the land-owner. Cllr. Edwards explained that all avenues involving both the Police and the Council Legal Department had been exhausted.

Thanks was expressed to the Council for taking action to alleviate the flooding.

Concern was raised by Members that the Council Tax-Payer was footing the bill for this work when the problem appeared to be caused, or at least exacerbated, by the nearby farming methods.

Note: As the Minutes Secretary had been pursuing the legal route whilst he was a Member of Moray Council and never had an acceptable explanation as to why it could not be followed, he contacted the Council's Chief Legal Officer and Police Scotland, by e-mail, for a form of words to use in the minutes. Within 10 minutes a phone call was received from the Lossiemouth Police Station asking to meet, on site.

The Police Officer said that no complaint had been received and that it was highly likely that an offence had been committed.

The Chief Legal Officer said; "I'm forwarding this email to Nicola Moss in roads who has the delegation (via Stephen Cooper) for Roads Scotland Act.

The statutory offence in subsection 6 has to be read alongside the Council's powers to serve notice on a landowner at subsection 3. This notice can be appealed to the Sheriff. As a public authority we have to act proportionately. My initial view is that we would need to have exhausted other means before pursuing subsection 6. I haven't checked case law but imagine that action under subsection 6 would have to be in response to a blatant disregard for public safety."

A response from the Roads Department was still awaited, at time of writing, one week later.

Burghead Beach Clean

The Beach Clean, held on Saturday, 16 Jun 18, was once again successful. This is likely to become a monthly event during the better weather. There will be no Beach Clean in August, due to the holidays, and the next one will be in September with a date yet to be confirmed.

Village Litter Picks

Cllr. Cowe & Cllr. Edwards would see if the Criminal Justice Department could arrange for weed clearance to be done on pavements and Billy Davidson is to contact the Council regarding using them for a litter pick within Burghead & Cummingston.

Purple Bins at Burghead Harbour

There is still confusion over the purple bins that were to be provided, at the Harbour, for the disposal of cans & plastic bottles found on the Beach and at sea. 2 green bins, marked "Cans & Plastic Bottles" had arrived, been well used and then removed. Cllr. Cowe would investigate further.

Headland Trust Parking

The "No Overnight Parking" sign at the Headland has now been removed and the situation appears to be under control. It is also believed that a website that was advertising the site as "free motor-home parking" has now removed that information. An honesty box is to be installed to allow people that do stay overnight to donate towards the upkeep of the site.

Big Watch at the Broch

Once again, the Big Watch brought in a good crowd. The weather also made for an excellent event. Questions were asked about the profits and it was explained that this was not a fund-raising event. Each year the Headland Trust hosts something purely for the benefit of the community where the hope is simply to break even.

Dredger

It was reported that the most recent activity had cleared the channel well and that boat users were pleased with the result. Currently the crew of the dredger are stood down on Summer Block Leave.

Lossiemouth High School

It was reported that work was due to have started. However, press reporting indicates that there may be up to 2 weeks delay in commencing building.

Inspection Cover at Grant Street/Granary Street/Park Street

The Chairman stated that Moray Council had been informed and that remedial action was expected.

Moray Sports Centre, Elgin

Construction has begun at the Sports Centre in the South of Elgin.

Moray Sea School

Fair weather and a large crowd made for a good day for the unveiling of the commemoration plaque for the Moray Sea School. Interpretation boards are sited in front of the Telford Warehouse at Burghead Harbour and on Fraser Road, at the junction with St. Aethan's Drive.

Containers at Burghead Harbour

It would appear that there is still a backlog of applications for the allocation of plots at the Harbour.

AOCB

Burghead Beach Caravan Park

Gratitude was noted to Helen Ritchie & Burghead Beach Caravan Park for the generous donations to several local groups from monies raised at their Events Weekend.

Burghead Harbour

Abbey Main informed the meeting that workmen had removed some of the unsightly detritus from the gap site at the Harbour.

Prawn Shed

Gilbert Farquhar said that he had complaints regarding the smell from the PRAWN Shed and that the previous Harbourmaster used to clean the shed every day. Cllr. Edwards said that the previous Harbourmaster provided this service from his own free will and that this duty was not in the job description. The cleanliness of the facility is the responsibility of the users.

Burghead in Bloom

Joan Megson raised a vote of thanks to Burghead in Bloom for keeping Burghead particularly colourful, this year. Her sentiments were echoed by all present – well done and thank you.

Gulls

As usual, at this time of year, the subject of gulls was raised. The problem of attacks will reduce as the chicks fledge. Then is the time to act to prevent nests being built in future years. Spiking and netting of potential nesting sites is the most effective way to stop birds becoming resident on properties.

Contrary to popular belief, nests eggs and birds can be removed subject to conditions given in General Licence 03/2018, issued by Scottish Natural Heritage, as long as all conditions are met - [**a copy is displayed above.***](#)

Kipper Barbecue

The Kipper Barbecue was blessed with good weather, a good crowd and raised over £2,000 for Burghead in Bloom.

Display of Minutes

A request has been received to display the minute lower down the notice board. This will be done in future.

Being no further business, the meeting was closed.

Date of next meeting Thursday, 6 September 2018 at 7.30pm.

Chris Tuke
Minutes
Secretary.

Copies of previous minutes and information regarding Burghead available on-line at:
The Moray Council Website www.moray.org > Community > Community Councils > Burghead and Cummingston
http://www.moray.gov.uk/moray_standard/page_110610.html

Please use the Grampian Police number to report all non-emergency issues.

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Crimestoppers – 0800 555 111

Community Warden - Tim Betts- 07800 670665

Tim.Betts@moray.gov.uk

If the police are not informed of problems they cannot act and if crimes are not reported then there are implications with regard to police staffing levels.

* <https://www.nature.scot/sites/default/files/2017-12/General%20Licence%20for%20Birds%20-%202018%20-%20To%20kill%20or%20take%20certain%20birds%20for%20the%20preservation%20of%20public%20health%20C%20public%20safety%20and%20preventing%20the%20spread%20of%20disease.pdf>